~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

January 28, 2015

**S. 11**

Introduced by Senators L. Martin, Malloy, Peeler, Courson, Campsen, Johnson and Hembree

S. Printed 1/28/15--S.

Read the first time January 13, 2015.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (S. 11) to amend Section 30-4-80, South Carolina Code of Laws, 1976, relating to the notice of meetings for public bodies, to require that a public body, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, page 1, by striking lines 25‑39 and inserting:

/ “Section 30‑4‑80. ~~(a)~~(A) All public bodies, except as provided in subsections ~~(b)~~(B) and ~~(c)~~(C) of this section, must give written public notice of their regular meetings at the beginning of each calendar year. The notice must include the dates, times, and places of such meetings. ~~Agenda, if any,~~ An agenda for regularly scheduled meetings must be posted on a bulletin board at the office or meeting place of the public body at least twenty‑four hours prior to such meetings. An item shall not be added to the agenda later than twenty‑four hours before the meeting, except as expressly provided under the rules or procedures for meetings lawfully adopted by the public body. Under no circumstances shall an item, upon which a vote may be taken, be added to the agenda later than twenty‑four hours before the meeting without a two‑thirds vote of the public body in public session. All public bodies must post on such bulletin board public notice for any called, special, or rescheduled meetings. Such notice must be posted as early as is practicable but not later than twenty‑four hours before the meeting. The notice must include the agenda, date, time, and place of the meeting. This requirement does not apply to emergency meetings of public bodies.” /

Renumber sections to conform.

Amend title to conform.

A. SHANE MASSEY for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Fiscal Impact Summary**

This bill will have no expenditure impact on the general fund, federal, or other funds.

**Explanation of Fiscal Impact**

**State Expenditure**

This bill requires all public bodies, excluding legislative committees and subcommittees, to provide an agenda for regularly scheduled meetings. Items may not be added to the agenda later than twenty-four hours before the meeting, except upon a two-thirds vote of the public body. We expect no expenditure or revenue impact from this bill.

**Local Expenditure**

There is no cost associated with this bill to local governments.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND SECTION 30-4-80, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE NOTICE OF MEETINGS FOR PUBLIC BODIES, TO REQUIRE THAT A PUBLIC BODY MUST PROVIDE AN AGENDA FOR ALL REGULARLY SCHEDULED MEETINGS AND THAT ITEMS SHALL NOT BE ADDED TO THAT AGENDA LATER THAN TWENTY-FOUR HOURS BEFORE THE MEETING, EXCEPT BY A TWO-THIRDS VOTE OF THE BODY.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 30-4-80 of the 1976 Code is amended to read:

“Section 30‑4‑80.~~(a)~~(A) All public bodies, except as provided in subsections ~~(b)~~(B) and ~~(c)~~(C) of this section, must give written public notice of their regular meetings at the beginning of each calendar year. The notice must include the dates, times, and places of such meetings. ~~Agenda, if any,~~ An agenda for regularly scheduled meetings must be posted on a bulletin board at the office or meeting place of the public body at least twenty‑four hours prior to such meetings. An item shall not be added to the agenda later than twenty-four hours before the meeting, except upon a two-thirds vote of the public body. All public bodies must post on such bulletin board public notice for any called, special, or rescheduled meetings. Such notice must be posted as early as is practicable but not later than twenty‑four hours before the meeting. The notice must include the agenda, date, time, and place of the meeting. This requirement does not apply to emergency meetings of public bodies.

~~(b)~~ (B) Legislative committees must post their meeting times during weeks of the regular session of the General Assembly and must comply with the provisions for notice of special meetings during those weeks when the General Assembly is not in session. Subcommittees of standing legislative committees must give notice during weeks of the legislative session only if it is practicable to do so.

~~(c)~~ (C) Subcommittees, other than legislative subcommittees, of committees required to give notice under subsection (a), must make reasonable and timely efforts to give notice of their meetings.

~~(d)~~ (D) Written public notice must include but need not be limited to posting a copy of the notice at the principal office of the public body holding the meeting or, if no such office exists, at the building in which the meeting is to be held.

~~(e)~~ (E) All public bodies shall notify persons or organizations, local news media, or such other news media as may request notification of the times, dates, places, and agenda of all public meetings, whether scheduled, rescheduled, or called, and the efforts made to comply with this requirement must be noted in the minutes of the meetings.”

SECTION 2. This act takes effect upon approval by the Governor.

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